

Standards of Conduct

1200.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Easton Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisor and any other rules or regulations applicable to employees of Easton.

1200.2 POLICY

It is the policy of this Department that both sworn and support members shall comply with the rules of conduct as herein stated, with the additions and amendments to these rules that may be promulgated and with all other lawful orders and directives, either verbal or written, which may be issued by competent authority. The violation of any rule of conduct subjects the violator to disciplinary action.

Ignorance of rules, procedures and orders of the Department is not justification for any such violation. A member shall be responsible for his own acts and he may not transfer to others, his responsibility for executing or failing to execute any lawful order or police duty.

The Department's Values are designed to serve as a guide for all members as they perform their duties and interact with the public and co-workers. These values form the foundation from which every decision should be based. Every member is expected to adhere to these core values.

1200.3 AUTHORITY

Consistent with law, the Chief of Police shall have the power to establish and promulgate to all members, rules and regulations necessary to promote the effective and efficient performance of the duties of the Department and to ensure the proper administration of the Police Department and its members.

The authority of the Chief shall also include the power to suspend, amend, rescind, abrogate, or cancel any rule adopted by him or by any former Chief.

To the extent that these rules and regulations are inconsistent with or in conflict with any provisions of the Town of Easton Employee Handbook, these rules and regulations shall prevail.

1200.4 DEPARTMENT VALUES

"DUTY ABOVE ALL BUT HONOR"

FAIRNESS: To treat all people in a fair, unbiased and impartial manner.

Easton Police Department

Policy Manual

Standards of Conduct

ACCOUNTABILITY: To be accountable to our Oath of Office, the Law Enforcement Profession and the Citizens that we serve.

INTEGRITY: To uphold the public trust by being honest and by maintaining the highest standards of ethical and moral character so as to bring honor to our profession, our department and ourselves.

RESPECT: To treat each other with the same respect and dignity that we demand be given to those we serve.

1200.5 FAIRNESS

1200.5.1 COURTESY

- (a) A member shall courteously and promptly accept any allegation or complaint made by a citizen against any member of the Easton Police Department. The receipt and processing of all complaints shall be in conformance with established Department procedures.
- (b) A member shall at all times, be civil and courteous when dealing with the public and fellow members.
- (c) A member shall be tactful in the performance of his duties, shall control his temper and exercise utmost patience and discretion, and shall not engage in argumentative discussions, even in the face of extreme provocation.
- (d) While on duty or in the performance of his duties, he shall not use coarse, violent, profane, or obscene language or gestures toward the public or fellow members. He shall not express any prejudice or use language which is insulting or demeaning to the public or fellow members concerning, race, sex, religion, politics, national origin, lifestyle, mental or physical abilities or other personal characteristics.
- (e) Police members will at all times show respect for their fellow members and will conform to the rules of military discipline as prescribed by the Chief of Police.

1200.5.2 IMPARTIALITY

- (a) All members shall protect the constitutional rights of all citizens through fair and impartial enforcement of the law.
- (b) The treatment of all people will be made in a fair, unbiased and impartial manner.
- (c) Everyone coming in contact with an Easton Police Department member will be treated with due respect and dignity.

Easton Police Department

Policy Manual

Standards of Conduct

1200.5.3 REQUEST FOR ASSISTANCE

- (a) Upon receiving a request for assistance from the public, either by telephone or in person, members will collect all pertinent information in a professional and courteous manner, and act upon the request without unnecessary delay, consistent with established Department procedures.
- (b) Members will not act in an official capacity, without authority, in any civil case, except where such action will prevent a breach of the peace or assist in quelling a disturbance.
- (c) Members will be alert to assist all persons who may be lost, hurt, or ill, and to recover and protect lost or stolen property.
- (d) Members will be familiar with every part of the Town of Easton, and shall acquire such knowledge of the town and citizens as will enable them to assist the public.

1200.5.4 SUGGESTIONS PERTAINING TO SERVICES

- (a) A member shall not recommend or suggest in any manner, except in the transaction of personal business and then representing himself only as a private citizen, the employment or procurement of a particular product, professional service or commercial service (such as an attorney, ambulance or towing service, bondsman, mortician, etc.). In the case of ambulance or towing service, when such service is necessary and the person needing service is unable or unwilling to procure it, the member shall proceed as a law enforcement officer in accordance with Department procedure.
- (b) In no case may such advice be given where a fee, gratuity, or reward is solicited, offered or accepted.

1200.5.5 CITIZEN CONTACTS

- (a) Members in the course of performing law enforcement functions, shall not solicit, for personal benefit, personal information from the citizenry or provide personal information of himself, which could reasonably be construed as using their position as an officer for personal benefit or personal reasons.
- (b) During officer-violator contact an officer will not solicit personal information from the driver/passenger(s) and or provide similar information for any reason other than that which would reasonably be required for law enforcement purposes.

1200.5.6 DISCRIMINATION/RETALIATION

- (a) Members will not engage in any form of discrimination. Acts of discrimination may include but are not limited to favoritism, prejudice, preference, or intolerance based upon sex, ancestry, citizenship, color, creed, marital status, mental or physical disability, national origin, pregnancy, race, religious affiliation, belief or opinion, sex or sexual orientation, or union membership in the work place.
- (b) Members will not take action against another member because he has opposed any unlawful employment practice or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding or hearing.

Easton Police Department

Policy Manual

Standards of Conduct

- (c) Members will not engage in any form of harassment. Harassment is to disturb or irritate persistently. It may include but is not limited to hound, badger, bother, pester, plague, bait, torment, etc.

1200.5.7 DISCRIMINATORY PROFILING

- (a) It is the policy of the Easton Police Department to adhere to the standards set forth in the Maryland Attorney General's "Guidance Memorandum: Ending Discriminatory Profiling in Maryland" (08/2015). This memorandum lists two distinct governing standards
 - 1. Standard for routine Law Enforcement Activity.
 - (a) When conducting routine police activity unconnected to an investigation of a specific crime, organization, or scheme, members may not consider race, ethnicity, national origin, gender, gender identity, sexual orientation, disability or religion to any degree.
 - 2. Standard for Investigative Law Enforcement Activity
 - (a) When investigating a specific criminal offense, criminal organization, or crime scheme, members may only consider race, ethnicity, national origin, gender, gender identity, sexual orientation, disability or religion if police are in possession of credible information that makes the defining personal characteristic directly relevant to the investigation of a specific offense, organization, or scheme.
 - (a) Investigation of a specific criminal offense.
 - (a) When a victim or witness provides a description of a suspect that includes the suspect's race, ethnicity, national origin, gender, gender identity, sexual orientation, disability or religion, that information can be considered by law enforcement in the subsequent investigation, even if it is the only information available. However, an individual descriptor should never be the sole basis for law enforcement action. Broad targeting of specific groups of individuals may raise constitutional concerns, and always raises serious fairness concerns
 - (b) Investigation of a specific criminal organization
 - (a) The same limitations with regard to the consideration of race, ethnicity, national origin, gender, gender identity, sexual orientation, disability or religion apply to investigations of a criminal organization. Police should consider the criteria articulated above, also assessing whether the information is relevant in time and location to a specific criminal organization. And the source of the information must be trustworthy
 - (c) Investigation of a specific criminal scheme

Easton Police Department

Policy Manual

Standards of Conduct

- (a) Similarly, when officers are investigating a criminal scheme, considering the race, ethnicity, national origin, gender, gender identity, sexual orientation, disability or religion of the suspects may be appropriate, but only where that information is relevant and reliable, and directly relates to the criminal activity. As with information about a criminal incident, the information must be temporarily and geographically related to the scheme being investigated.

1200.6 ACCOUNTABILITY

1200.6.1 DUTY - GENERAL

- (a) Members must preserve and advance the principles of democracy, freedom, and the police profession in a multi-cultural society, while remaining sensitive and responsive to community concerns and problems. To this end, members shall strive to:
 - 1. Protect life and property.
 - 2. Preserve the public peace.
 - 3. Detect and arrest violators of the law.
 - 4. Reduce crime, and the fear of crime, by addressing quality of life issues.
 - 5. Remain sensitive and responsive to community concerns and issues.
 - 6. Obey Department rules, regulations, and procedures and applicable laws.
 - 7. Enforce all Federal, State and local laws and ordinances coming within Departmental jurisdiction.
 - 8. Maintain good physical conditioning in order to meet their job duties and responsibilities.
- (b) Members are always subject to duty. Although they are periodically relieved or technically scheduled off-duty, members are not relieved of the responsibility to respond to the order of a superior officer, or to take proper police action in any matter coming to their attention within the Town limits of Easton which requires immediate police action.
- (c) Sworn members are required to carry their badge, identification card and service weapon, or approved off-duty weapon at all times when within the Town of Easton, whether on or off duty. Exceptions: The above equipment does not have to be worn on the officer's person when the officers are in their homes or when it is impractical or improper to do so due to the nature of activities the officer is involved in.

1200.6.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

Easton Police Department

Policy Manual

Standards of Conduct

- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or being indifferent to any such violation by a subordinate.
- (d) Using an unequal or disparate exercise of authority toward any member for malicious or other improper purpose.

1200.6.3 REPORTING FOR DUTY

- (a) A member of the Department shall not absent himself without properly approved leave and will be considered A.W.O.L..
- (b) A member shall report for duty at the time and place specified by their supervisor, assignment or orders, and shall be physically and mentally fit to perform his duty. He shall be properly equipped and cognizant of information required for the proper performance of duty so that he may immediately assume his duties.
- (c) If a member of the Department is unable to report for duty due to sickness or other causes, such member shall, as soon as possible, make notification in conformance with established policy.
- (d) A member shall not feign illness or injury, or otherwise deceive or attempt to deceive any official of the Department as to the condition of his health.
- (e) Members, while off duty, shall be subject to recall at all times. In the event of an emergency or potential emergency, police members ordered to an "inactive-on call" duty status and those required to leave word where they may be reached, will notify their supervisor of the location and telephone number where they can be contacted.
- (f) Members will be considered to have voluntarily resigned from employment with the Department when the member has been absent from work for three or more consecutively scheduled work days without notifying their supervisor or commander.
- (g) Members, upon being subpoenaed, will attend court proceedings at the time and location specified unless excused by the prosecuting attorney, the judge presiding over the case or by the person requesting the subpoena.
- (h) Members receiving a subpoena to appear in court shall notify their immediate supervisor and provide a copy of the subpoena to the Administrator of Records.

1200.6.4 INTERFERENCE WITH DUTY

- (a) A member shall not attempt to bring influence to bear on the Chief of Police for the purpose of securing promotion or transfer, or to avoid penalties for violations of the Department's policies, rules, procedures or orders.
- (b) Members shall not obstruct or hinder a criminal or administrative investigation of this or any other law enforcement agency.
- (c) Members shall not attempt to have any traffic citation or notice to appear reduced, voided or stricken from the calendar, except in the interest of justice.

Easton Police Department

Policy Manual

Standards of Conduct

- (d) Members shall not be directly or indirectly involved with making arrangements, agreements, or compromises between a criminal and a person who has suffered from his criminal acts for the purpose of allowing the criminal to escape any punishment prescribed by law. Any member having knowledge of such an arrangement, agreement or compromise shall report such to his immediate supervisor, without delay.
- (e) A member shall not interfere with cases assigned to other members for investigation without consent, except by order of a superior officer; nor shall he interfere with the operation of a division or unit.
- (f) Members shall not interfere with any lawful arrests or any prosecution brought by another member of this or any other agency.
- (g) Members shall not undertake any investigation or other police action not a part of his regular duties without first obtaining permission from his supervisor, unless he can justify the need for his immediate intervention.
- (h) A member of this Department shall not reveal the identity of a member of this or any law enforcement agency assigned to plain clothes or covert investigation work. A member shall not recognize such members unless such plain clothes or covert member salutes or otherwise acknowledges him first.

1200.6.5 NEGLECT OF DUTY

- (a) Members shall perform their duties as required or directed by law, departmental directive, policy or order, or by order of a superior officer.
- (b) The failure of a police member to take appropriate action, while on or off duty, within the scope of their authority and responsibility, on the occasion of a crime, disorder, or other condition deserving police or administrative attention, is considered neglect of duty.
- (c) Members shall remain alert and awake while on duty. If unable to do so, the member will report his condition to his supervisor, who will determine the proper course of action.
- (d) A member will not, without proper authorization, absent himself from his assigned place of work during his tour of duty.
- (e) Police and civilian supervisors will actively oversee the performance of subordinates to ensure compliance with all Easton Police Department policies and procedures.
- (f) Members shall be unencumbered by prescription drugs, illegal narcotics while on duty or from conflicts arising from off-duty employment.
- (g) Department members shall be punctual in attendance to all calls, requirements of duty, court appointments, and other assignments.
- (h) A member will not read, play games, watch television or movies, or engage in any activity, or conduct private or personal business to the extent that it causes them to neglect or be inattentive to their duties.
- (i) Members are to respond without delay to all calls for police assistance from citizens and take the appropriate police action in all matters that come to their attention.

Easton Police Department

Policy Manual

Standards of Conduct

- (j) Members shall respond to all radio and telephone calls directed to them without unnecessary delay.
- (k) Members shall keep the dispatcher informed of their whereabouts while on duty. To this end, officers will keep their portable radios charged, turned on, and in their immediate possession at all times when they are out of a patrol car.
- (l) A member may be authorized to suspend patrol or other assigned activity, subject to the immediate recall at all times, for the purpose of having meals during his tour of duty but only for such periods and at such times as are authorized by his supervisor. He will inform the Department of the location when he leaves service.

1200.6.6 ORDERS

(a) Lawful Order:

1. Any order, either verbal or written, which a member should reasonably believe to be in keeping with the performance of his duties or the responsibilities of his post given by proper authority, and would not require the commission of an illegal act.

(b) Unlawful or Conflicting Orders:

1. Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order. No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.
2. Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

(c) Insubordination:

1. A member shall promptly obey all lawful orders of a superior, including those from a superior relayed by another member of equal or lesser rank unless the member has received a direct conflicting order from a superior.

Easton Police Department

Policy Manual

Standards of Conduct

2. Unless otherwise directed by competent authority, all members shall transact all official business with member's senior in rank or classification, through the official chain of command.

1200.6.7 INTOXICANTS

- (a) Members shall not report for work or be at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Members who are on medication which may impair the member's ability to perform their essential job functions, or classified as a controlled narcotic, shall notify the department, on a Form 48, via their chain of command, with the:
 1. Name of the medication.
 2. Possible adverse side effects and how the use will affect his ability to perform his job.
 3. Duration member is required to be on the medication.
- (c) Members shall not use alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (d) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site is prohibited.
- (e) Members ordered to an inactive on-call status will not consume alcoholic beverages during the time that he is on call.
- (f) Members who by virtue of a written or verbal order, duty schedule, etc., that is informed that he has been placed on standby duty status and is expected to immediately report for duty if called, will not consume alcoholic beverages.
- (g) A member not in an inactive on-call or standby duty status who has consumed alcoholic beverages and is recalled to duty will notify the supervisor on duty of his condition and will refrain from further consumption of alcoholic beverages. The member will be afforded sufficient reporting time to assure the alcohol is no longer in his system.
- (h) Members shall not consume alcoholic beverages within 8 hours of their scheduled tour of duty.
- (i) Members, either on-duty or off-duty, shall not drive or attempt to drive a Department owned vehicle while any measurable amount of alcohol is present in the member's body, or under the influence of a drug or a combination of alcohol or drugs, or a controlled dangerous substance.

1200.6.8 FIREARMS

Weapons shall not be used, displayed or handled in a careless or imprudent fashion or contrary to Easton Police Department's policy or Maryland Criminal Law.

Easton Police Department

Policy Manual

Standards of Conduct

1200.6.9 USE OF FORCE

- (a) A member, acting in his official capacity, shall not use unnecessary or excessive force. Members will only employ the minimum amount of force necessary to affect an arrest and overcome any resistance offered.
- (b) The use of force by a member will be reported in conformance with Department procedures.

1200.6.10 TREATMENT OF PRISONERS

- (a) Members will not abuse or mistreat persons who are in their custody, and will act in accordance with established policies and procedures.
- (b) A member of the Department will not, without proper authority, release any prisoner in his charge, or, through negligence or design, allow any prisoner in his charge to escape.

1200.6.11 IDENTIFICATION

- (a) Members are required to carry their badge, MPCTC Certification Card and Department Identification Card on their person while on duty.
- (b) During the times that a sworn member is not readily identified by the uniform of the Easton Police Department, he shall furnish his name, identification number and assignment to any person properly entitled to this information, at any time except when authorized not to do so by proper authority and when such refusal may be necessary for the proper performance of his police duties.
- (c) When a sworn member makes a traffic stop or makes an arrest while in plainclothes, he shall identify himself to the violator and display his badge and/or identification card.

1200.6.12 HOME TELEPHONE AND ADDRESS

- (a) Members are required to provide the Department with a working telephone number to their place of residence or to their personal cell phone if they are not issued a Department cell phone.
- (b) Changes in home address or telephone contact number shall be reported to the member's supervisor and the Deputy Chief of Police within 24 hours of the change. This shall be done in writing, and within the specified time, whether the member is working or on leave.
- (c) Members are prohibited from divulging the home address, telephone number, pager number or cellular phone number of other department members to anyone outside this agency, without approval from the member or a supervisor.
- (d) When completing Department paperwork where an officer is involved, members should use the Department address, not the officer's home address.

1200.6.13 PAYMENT OF DEBTS

- (a) Members shall make every effort to pay all of their debts and legal liabilities. Disciplinary action may be taken when:

Easton Police Department

Policy Manual

Standards of Conduct

1. Judgments of creditors have been finally adjudicated and the member, even though able to pay, has refused to comply with such judgment.
 2. The effects of such indebtedness have adversely affected the ability of the member to perform his job or have negatively reflected on the reputation or effectiveness of the Department.
- (b) Absent extenuating circumstances, disciplinary action shall be inappropriate where:
1. The member has made a genuine and sincere effort to pay his debts.
 2. The member has filed a petition for voluntary bankruptcy.

1200.6.14 EVIDENCE/FOUND/RECOVERED PROPERTY

- (a) Property which has been received as evidence in connection with investigations or which, for any other reason, comes into the custody and care of this Department will be processed in accordance with established procedures.
- (b) Members shall not convert to their own use, manufacture, tamper with, damage through negligence, destroy, or in any other way, misappropriate any evidence or any other material or property found in connection with an investigation or other police action, except in accordance with established procedures.
- (c) Members shall not intentionally manufacture, tamper with, falsify, destroy, or withhold evidence or information, or make any false accusations of a criminal charge.

1200.6.15 INCOMPETENCE

- (a) Members will be held strictly responsible for the proper performance of their duties.
- (b) Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions.
- (c) Members shall be required to establish and maintain a working knowledge of all laws and ordinances, the rules and policies of the Department and the orders of the Department and divisions thereof. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule or policy in question.
- (d) Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.

1200.6.16 AGENCY PROPERTY AND EQUIPMENT

- (a) Agency equipment will be used and maintained in accordance with established Departmental procedures and members will not cause or contribute to the damage, abuse, alteration, or loss of any Departmental equipment or property through negligence or carelessness.
- (b) Damaged or lost property through negligence or carelessness may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action.

Easton Police Department

Policy Manual

Standards of Conduct

- (c) Damaged, inoperative or lost property and equipment shall be immediately reported to the on duty supervisor in conformance with Departmental procedures. The last person to have used, or are in possession of Town property found bearing evidence of damage which has not been reported, shall be considered responsible for the damage.
- (d) Members will not have any Department property or equipment repaired, adjusted, or modified without proper authorization.
- (e) Only members of this Department will be permitted to operate any Department-owned vehicle, or use any Department-issued firearm, or use any other item or property owned by the Department, however, specific exceptions to this rule may be authorized by the Chief of Police.
- (f) Department telephones are for official business. While personal calls are allowed, they must be kept to a minimum. Long distance calls related to personal business are the financial responsibility of the member making the call.
- (g) Members may not convert to his own use or in any way misappropriate Department equipment/property.

1200.6.17 DEPARTMENT VEHICLES

- (a) Members will operate Department vehicles in a careful and prudent manner, and will not through negligence, or reckless operation, incur or cause damage to be incurred to Department property or the property of another.
- (b) Members will immediately report any motor vehicle accident involving a Department vehicle in conformance with established procedures.
- (c) Members will obey all laws of the State of Maryland and all local ordinances, and conform to all departmental procedures and regulations pertaining to the operation and maintenance of any Departmental vehicle assigned to the member on a permanent or temporary basis.
- (d) Set a proper example for other persons by his operation of a vehicle at all times.
- (e) Members will not permit unauthorized personnel to operate a Department vehicle.

1200.6.18 SECONDARY EMPLOYMENT

- (a) A member shall not be employed in any capacity in any other business, trade, occupation, or profession, while employed by the Easton Police Department except as established by Easton Police Department policy and approved by the Chief of Police.
- (b) A member may not work secondary employment while on-duty.

1200.6.19 INTERROGATIONS/INTERVIEWS

- (a) During any administrative investigation a member shall, at the direction of competent authority, submit to an interrogation, interview or polygraph examination. The questions to be asked during the interrogation, interview or polygraph examination will be related specifically, directly, and narrowly to the performance of a member's official duties and to the subject matter of the current investigation.

Easton Police Department

Policy Manual

Standards of Conduct

- (b) On the order of competent authority, a member shall submit to any medical, chemical or other tests, photographs, or lineups. All procedures carried out under this rule shall be specifically, directly and narrowly related to the nature and scope of the member's employment and conduct.

1200.6.20 PERSONAL APPEARANCE

Department members will maintain a neat, well-groomed appearance and will style his hair and wear his uniform consistent with established Department policy and procedure.

1200.6.21 UNAUTHORIZED USE OF METERS, NCIC OR CJIS SYSTEMS

Members are prohibited from using or assisting in the use of the METERS, NCIC or CJIS systems for personal reasons or for any purposes other than those authorized by Easton Police Department policy.

1200.6.22 UNSATISFACTORY JOB PERFORMANCE

- (a) Unsatisfactory Job Performance, as well as violations of the Rules of Conduct, may be grounds for disciplinary action and/or termination of employment.
- (b) Unsatisfactory Job Performance may be demonstrated by:
 - 1. Lack of knowledge of the application of laws required to be enforced.
 - 2. Unwillingness or inability to perform assigned tasks.
 - 3. Failure to conform to work standards established for the member's position or rank.
 - 4. Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention.
 - 5. Repeated poor evaluations or a written record of repeated violations of the Rules and Regulations of the Department.
 - 6. Disrespect towards supervisors.
 - 7. Failure to abide by a Regulation, Procedure or Rule of Conduct established by this manual, or pursuant thereto, or failure to follow a lawful order.

1200.6.23 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (d) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (e) Unsafe or improper driving habits or actions in the course of employment or appointment.

Easton Police Department

Policy Manual

Standards of Conduct

- (f) Any personal action contributing to a preventable traffic accident, or other unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

1200.6.24 LITIGATION

- (a) Members must notify the Office of the Chief of Police within 24 hours of filing a lawsuit or being served as a defendant for any reason and/or requesting representation through the Town Attorney's Office. This will be done through channels, via a Form 48.
- (b) Members, who are served as a defendant in a lawsuit relating to their official duties as a Department member, may request legal representation through the Town Attorney's Office. The member should attach to the request, copies of all court documents received. The request should be made through proper channels, via a Form 48.
- (c) Members will not make any statements, or otherwise furnish information, regarding an incident or allegation of liability against the Town of Easton to anyone outside the Department without first notifying the Town Attorney. Approval must be obtained from the Town Attorney to make the statement or to furnish the information.
- (d) Members filing a lawsuit as a plaintiff will provide sufficient information at the time of notification so that a determination can be made as to whether the cause of action arose during the course of employment.
- (e) Members will not compromise, discharge, or settle any line of duty claim committed against their person or property, or against the Town's property or interests, without the consent of the Chief of Police or the Town Attorney.
- (f) When summonsed/requested, subpoenaed or voluntarily acting to testify, write correspondence, or make statements on behalf of a criminal defendant or civil plaintiff or defendant, members shall:
 - 1. Notify their commander and the appropriate prosecutor as soon as possible.
 - 2. If no summons is received, advise the person making the request that a summons or subpoena is necessary, unless acting voluntarily.
 - 3. Not make voluntary reference to their position or employment with the Easton Police Department, if acting outside the line of duty.

1200.7 INTEGRITY

1200.7.1 UNBECOMING CONDUCT

- (a) Every member shall conduct himself at all times, both on and off duty, whether in the Town of Easton or not, in a manner which reflects most favorably on the Easton Police Department. The phrase "reflects most favorably" pertains to the perceptions of both citizens and other Easton Police Department members. Unbecoming conduct of a member shall include that which tends to bring the Easton Police Department into disrepute, or reflects discredit upon the member as a representative of the Easton Police Department, or that which tends to impair the operation or efficiency of the Easton Police Department or member.

Easton Police Department

Policy Manual

Standards of Conduct

- (b) A commander or supervisor will not injure or discredit a subordinate through unreasonable, unjust, arbitrary, or tyrannical conduct, or abusive language.
- (c) An Easton Police Department member shall not maliciously threaten, strike, or assault any other Easton Police Department member.

1200.7.2 PROFESSIONALISM

- (a) Failure to disclose or misrepresenting material facts or making any false or misleading statement on any application, examination form or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty, on department property or while in any way representing him/herself as a member of this department, except as expressly authorized by Town policy, the collective bargaining agreement or memorandum of understanding, or the Chief of Police (Md. Code PS § 3-102(a) (2).)

Easton Police Department

Policy Manual

Standards of Conduct

1200.7.3 ABUSE OF POSITION

- (a) While deprived of police powers, sworn members will not wear the uniform and will not represent themselves in an official capacity as an Easton Police Department member with police powers.
- (b) Members are prohibited from using their official position, identification card or badge for:
 - 1. Personal or financial benefit.
 - 2. Use in obtaining privileges that otherwise would not be available to them.
 - 3. Avoiding consequences of illegal acts.
- (c) Members shall not lend their identification card or badge to another person or permit it to be photographed or reproduced without the approval of the Chief.
- (d) Members shall not permit or authorize the use of their name, photograph or official title identifying them as a member of the Easton Police Department in connection with testimonials or advertisements of any commodity or commercial enterprise, or for personal reasons, without the approval of the Chief.
- (e) Members shall not sign a petition, without the authority of the Chief, when his signature identifies him as a member of the Department, nor shall any member sign any petition that has an unlawful purpose. However, any member may sign a lawful petition as a private citizen.
- (f) A member shall not address a public gathering, appear on radio or television, prepare an article for publication, act as a correspondent to a newspaper or a periodical, release or divulge investigative information, or any other matters of the Easton Police Department, either in an official or unofficial capacity without first having obtained permission from his commanding officer.

1200.7.4 IMMORAL CONDUCT

- 1. Members shall maintain a level of moral and ethical conduct in his personal affairs, which is in keeping with the highest standards of the law enforcement profession.
- 2. Members shall not participate in any incident which compromises, or has the potential to compromise, his ability to perform as a law enforcement officer, or as a member of the Easton Police Department, or causes the Department to be brought into disrepute.

1200.7.5 RELATIONSHIPS

- (a) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (b) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

Easton Police Department

Policy Manual

Standards of Conduct

- (c) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.
- (d) Solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity is prohibited.
- (e) Members will not engage in any sexual activity while on duty including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (f) While off duty, members will not engage in any sexual behavior in a Department facility or Department vehicle
- (g) Members shall report intimate relationships with other department members in an effort to avoid a conflict of interest:
 - 1. For the purpose of this policy, "intimate" shall mean a mutually agreeable sexual encounter or relationship which may or may not lead to dating or marriage.
 - 2. The occurrence of an intimate relationship between fellow members assigned to the same squad/unit must be reported immediately, in writing, to the Office of the Chief of Police via the Division Commander.
 - 3. If a reassignment occurs, joining subordinates who have established an intimate relationship while assigned to separate squads/units, the involved parties must immediately report same, in writing, to the Chief of Police via the Division Commander.
 - 4. The occurrence of an intimate relationship between a supervisor/commander and a subordinate, whether or not assigned to the same squad/unit, must be reported immediately, in writing, to the Office of the Chief of Police.
 - 5. For the purposes of reporting responsibility, the member senior in rank, or if equal, the member senior in longevity, shall be required to make the appropriate notification.

1200.7.6 CONFORMANCE TO LAWS

- (a) A member shall not violate his oath of office and trust or any other condition of his employment with the Town of Easton or commit an offense punishable under the laws or statutes of the United States or any sovereign nation, the State of Maryland, public local laws, ordinances, or civil violations.
- (b) Any member who has been charged with a violation of any law, statute, public local law or ordinance must report the facts concerning such violation immediately to his commanding officer. Parking and red light camera violations, except when they are issued to a Department vehicle, are exempted from this subsection.
- (c) Members knowing of another member violating laws, ordinances, or rules and regulations of the Department, or disobeying orders, shall report same, in writing, to the Chief through official channels as soon as possible, but in any case, within 24 hours of receipt of knowledge of the incident.

Easton Police Department

Policy Manual

Standards of Conduct

1200.7.7 SEEKING OR ACCEPTING GIFTS, GRATUITIES OR BRIBES

- (a) Members shall not solicit, seek or accept any gift, gratuity, including food or drink, for himself or another, from any individual, business establishment, or merchant, where such offer of acceptance can be construed to be an effort to influence his official conduct as a police officer or member of this Department.
- (b) Members shall not receive, seek or solicit, or share in any fee, reward, or other reimbursement for the performance of his official duties, or for his failure to perform official duties, except as directed by the Chief.
- (c) Members must immediately report, to his supervisor, any offer, or attempt to offer, money, gifts, or other gratuity made in an effort to influence his conduct.
- (d) Members shall forward any unauthorized gift, gratuity, loan, fee, reward or other thing falling into any of these categories, coming into the possession of any member to the office of the Chief of Police, together with a written report explaining the circumstances connected therewith.

1200.7.8 LABOR ACTIVITIES

- (a) Members shall not engage in any strike or job action against the Department.
- (b) A strike or job action includes, but is not limited to:
 - 1. Failure to report for duty.
 - 2. Willful absence from duty.
 - 3. Unauthorized holidays.
 - 4. Sickness unsubstantiated by a physician's statement.
 - 5. Stoppage of work, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purpose of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

1200.7.9 FICTITIOUS ILLNESS/INJURY

Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive, or attempt to deceive, any official of the Department or any official who is part of the Town's employee benefit program, as to the condition of his health.

1200.7.10 SECURITY OF DEPARTMENT BUSINESS/COMMUNICATIONS

- (a) Members shall treat the official business of the Easton Police Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established Easton Police Department procedures. A member may remove or copy official records or reports only in accordance with established procedures. A member shall not divulge the identity of a person giving confidential information, except as authorized by proper authority in the performance of police duties.

Easton Police Department

Policy Manual

Standards of Conduct

- (b) Members shall treat any material labeled “Draft” or “Confidential” with the utmost sensitivity, as items of this nature may differ significantly when the final copy is completed. Only those members officially directed under competent authority to review, discuss or have input into draft and confidential material may divulge the content of said material and then only to members specifically authorized by official directive.
- (c) The use of Department telephones and fax machines shall be in accordance with established policy.
- (d) Users of Department computer equipment will access only those files that they are authorized to access and shall perform only those operations they are authorized to perform. Department members may not copy or remove any system or application software or manual without the consent of the Informational Technology Division. When using the Internet, all members will adhere to the provisions of established policy. The use of unauthorized PC software is prohibited.
- (e) Members shall not remove or copy official records or reports from the Records Section except in accordance with established departmental procedures.
- (f) Members shall not use or disseminate information from computer-based vehicle license checks or criminal history information, except as authorized by METERS/NCIC procedures.
- (g) A member who participates in the promotional process or has been exposed to questions and/or answers to any promotional testing material prior to the completion of the examination process shall not disclose the questions and/or answers to any person, unless authorized to do so by the Deputy Chief of Police.

1200.7.11 DEPARTMENT COMMUNICATIONS

- (a) Members shall submit all reports, verbal and written, required by the Department, on time and in accordance with established procedures. All official business transacted by members must be processed through official channels.
- (b) Members shall, upon order of competent authority, submit a written and/or oral statement detailing the facts concerning his involvement in an incident being investigated where the incident is related specifically, directly, and narrowly to the performance of his duties.
- (c) Whenever a member is ordered to submit a detailed report/oral statement concerning an incident in which he is alleged to have been involved and if the authority ordering the report knows or should have known that the report is likely to contain information which may be used as evidence against the member in a disciplinary hearing, then the authority ordering the report will, at the time of such order, provide the member with a copy of a Form 27, Notification of Interrogation. The form shall clearly state that the recipient is the subject of an investigation, and briefly describe the nature of the investigation. These criteria do not apply to the submission of procedural reports required by Department standard operating procedure, rule or policy.
- (d) A police member shall report without delay, to his superior all information that comes to his attention concerning organized crime, racketeering, vice conditions, etc.

Easton Police Department

Policy Manual

Standards of Conduct

- (e) All reports submitted by members will be truthful: no member shall knowingly report or cause to be reported any false information. A clear distinction must be made between reports that contain false information and those which contain inaccurate or improper information. To prove by a preponderance of evidence that one has submitted a false report, evidence must be presented for consideration that such report is designedly untrue, deceitful, or made with the intent to deceive the person to whom it was directed.
- (f) All reports submitted by members will be complete and will not contain improper or inaccurate information. Inaccurate or improper information may be characterized by that which is untrue by mistake or accident or made in good faith, after the exercise or reasonable care.

1200.8 RESPECT

1200.8.1 MUTUAL RESPECT

- (a) Members shall treat superior officers, subordinates and associates with mutual respect.
- (b) Members shall be courteous and civil at all times in their relationships with one another.
- (c) When on duty, and particularly in the presence of other members or the public, members shall refer to other members by rank.
- (d) Members shall address their subordinates, associates and supervisors professionally by not using abusive, violent, insulting or provoking language which could be deemed insulting to any person or group by reason of their gender, or racial or ethnic background.
- (e) Members shall maintain a professional attitude and manner when communicating by radio following FCC and Department regulations and procedures.
- (f) Engaging in horseplay that reasonably could result in injury or property damage.

1200.8.2 LOYALTY

Members are reminded that loyalty to the Department and to departmental associates is an important factor in Departmental morale and efficiency; therefore members shall maintain a loyalty to the Department and their associates, as is consistent with the law and professional ethics.

1200.8.3 COOPERATION

Members are reminded that cooperation between the ranks and units of the Department is essential to effective law enforcement. Therefore, all members are strictly charged with establishing and maintaining a high spirit of cooperation within the Department.

1200.8.4 CRITICISM/GOSSIP

Members shall not publicly criticize or ridicule the Easton Police Department, its members, Department policies and procedures, the Mayor and Council members of the Town of Easton, any State agency, the Maryland Judiciary, or any other police department and/or its members, their policies, or their officers by speech, in writing, or by expression in any other manner, when such speech, writing or other expression is defamatory, obscene, unlawful, exhibits a reckless

Easton Police Department

Policy Manual

Standards of Conduct

disregard for truthfulness, or tends to undermine the operation of the Easton Police Department, other police departments, other State agencies, or the Judiciary by impairing their efficiency or interfering with the operation or maintenance of discipline.

1200.8.5 COWARDICE

Members shall not display cowardice in the line of duty in any situation where the public or another police officer might be subjected to physical danger. Unless actually incapacitated themselves, officers will aid, assist, and protect fellow officers in time of danger or under conditions where danger might reasonably be impending.

1200.8.6 ALTERING/DEFACING NOTICES

- (a) Members shall not mark, alter or deface any posted notice of the Department. Notices or announcements shall not be posted on bulletin boards without permission of a commanding officer.
- (b) No notices of a derogatory nature will be posted at any time.